FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1840 OF 2005

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr. M.S. Karnik for the petitioner.
Mr.D.R.More, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 01/3/2006.

P.C.

1. This is a petition impugning an order passed by the II J.M.F.C. Panvel dated 28.6.2005 rejecting an application for recall of two witnesses who were examined in the trial under Section 138 of the Negotiable Instruments Act. The petition also challenges an order passed by the Sessions Judge, Raigad rejecting a revision made against the order passed by the J.M.F.C. On perusal of the application made for recall of the witnesses, it appears that the recall was sought on the ground that the

earlier advocate had not cross examined the witnesses properly. The nature of lacunas in the earlier cross examination are not mentioned in the application. Apart from this, mere ground that earlier advocate has not cross examined the witnesses properly cannot be a ground for recall of the witnesses. Hence, petition is rejected.

(R. S. MOHITE, J.)